

Capital Punishment.

Mr. Editor:—I observed, in your last issue, an article on this subject, by Mr. Urquhart. I shall probably not enter the arena of controversy in the *Cadiz* Republican. But I wish now to call your attention to a few points, upon which, he can safely and enlighten the public mind, he will have done much toward overthrowing the system of capital punishment. From his present article, as well as from a former one on education, I infer that he is a full believer in the authority of the scriptures, and, therefore, I suppose the matter is to be determined by this standard.

He commits quite a blunder in the first paragraph. Death is not a law of nature. It is not a law at all, but is the penalty of the transgression of law, Gen. III, 19; Rom. V, 12. He doubts again, whether God ever inflicts an arbitrary punishment. Yet he believes in eternal punishment. Does he also believe that Adam and Gomorrah were for their sins, destroyed by fire from heaven; and that God promised to save those cities, if ten righteous could be found there? Does he believe the account of the Deluge? Does he believe in the various accounts, scattered throughout the sacred record, of the judgments of God upon nations, and consequently upon the individuals composing them, for their sins? And if these sundry, outward, and terrible demonstrations of his wrath, are not what he means by "arbitrary punishment," then he uses the term in a sense which has nothing to do with the subject upon which he writes.

I know that governments do not derive power to punish from individual rights, but have their power from the consent of the Supreme Ruler of the Universe? Does he not delegate any authority to them? (See Romans XIII.)

Has God authority to dispose of human life according to his will and pleasure? Has he not then a right to give governments power over it? Has he never done so? (See Gen. IX, 6.) And has he ever withdrawn it?

Can Mr. W. prove that the death penalty for murder caused the death of Servetus, or the cruelties practiced by the inquisition of the Romish Church?

If capital punishment is now a system of crime, barbarous, devilish, involving the principle of piracy, was it not *also* so? And has God then ever sanctioned a cruel, barbarous, devilish, piratical principle? Capital punishment was just, in the age succeeding the life of Noah, can Mr. W. prove that it is *not* just now?

Further, does pardon release from all the penalties of the law of God? Why then are the righteous still subject to pain and death? And if it does not, how will Mr. W. make it appear that forgiveness annuls the sentence of the murderer? Again, if the murderer is impotent, who is responsible for his eternal destruction—himself or community? When the drunkard dies of the delirium tremens, in consequence of his habits of intemperance, is God the author of his ruin, for enacting a law, by the violation of which he perishes? And on the same principle, when the murderer violates the law against murder, (to which God has affixed the penalty of death) is God the author of his destruction, in enacting the law which requires the forfeit of his life? Or society, in executing it?

Finally, if God has sanctioned the death penalty for murder, is it not right? "Shall mortal man be more just than God?" Shall man be more wise or more benevolent than his Maker? And if he has sanctioned it explicitly once, and has not repealed or annulled an sanction as explicitly since, does it not remain in force? Will not a wise lawgiver publish the repeal of a statute, as extensively as the law was published? I challenge Mr. Urquhart to exhibit an explicit repeal to the explicit record, preserved in Gen. IX, 6. And if he cannot, his objections against capital punishment cannot be sustained.

Yours truly,

J. C. WELLS.

Capital Punishment.

NUMBER TWO.

Life is to be held sacred unless we have the clearest proof of the necessity, the duty of taking it. In the evidence adduced, there must be no doubt; for a doubt of the duty of taking life is a *certainty* against taking it—as our laws admit, in regard to the evidence of guilt. Where is that absolute proof that the life of the criminal must be snatched from him? It is said the law of self-defense gives the right. I reply Christianity limits the right of self-defense. It forbids you doing something even to save life. You may not deny Christ, you may not disobey one of his commands to save any number of lives—"He that will (thus) save his life shall lose it." I deny that the law of self-defense extends so far as to permit a violation of the law—"Thou shalt not kill."

"Thou shalt not commit adultery," because, as in the case of Joseph, a refusal to commit the crime would involve us in danger. But this is not a case of self-defense. We have overcome our enemy, and the question now is "how shall we treat a conquered foe?"

We can restrain him and save society from wrong without taking his life. We may be the means of his conversion and reform, if we will spare his life, and surround him with the friendly influences of Christian love. The Death Penalty prevents his reform. Do you say he is too depraved to be reformed? It was said of the drunkard a few years ago. How can you limit God's grace? David and Paul are illustrious examples, that his mercy can save the chief of sinners. Many illustrations do we have of the power of love and compassion to win the hardest heart. The lives of Howard, William Penn, Elizabeth Fry, Isaac T. Hopper, Miss Dix and Captain Pillsbury of the Connecticut State Prison, are full of such proofs of the omnipotence of Love. I urge it as a sacred obligation to the gullies that the criminal can be saved and made a good man, a blessing to society, an apostle of virtue and truth.

The gullies not only rob humanity life, but rob God of souls that might be gathered into his service. Is it necessary to prevent crime? Look at the history of public executions. They are the hot beds of crime. Governments are rapidly discovering their demoralizing tendency and abolishing their public view that deed of darkness which bids the defenseless criminal—*Rhode Island has done it.* Is that not good in its influence on society which you must hide from the sight of the community lest it corrupt them? Did Jesus need to conceal his deeds of love? Are we afraid to have men witness an act of Christian benevolence? No. This hiding the execution from the public eye is a strong argument against its influence on society. The private execution is known, however, and many an imagination will look upon all the horrible particulars of the deed, and perhaps it works no less mischief than if it had been open to the outward eye. Depraved men flock around the gallows, to witness its slaughter. They love it as they love their cock-fights and horse races. The death penalty hurls

the public before an example of life taking before the bad, which they are too liable to copy, and thus cheapens human life.

The influence of witnessing frequent man killing on the heart, is illustrated in the case of the soldier and the hangman, and also in those men who most eagerly flock to see public executions. This penalty is more uncertain than a milder one, from its very severity, because it excites the compassion of the humane for the criminal, and often he is permitted to go unpunished, or even retained because of the cruelty of this penalty. Thus while it promotes the causes, it takes away the barriers to crime. Facts show that where it has been executed the most rigidly it has not prevented, but apparently caused crime. On the other hand history proves that it may be abolished with perfect safety and with most beneficial results. Tuscany, Bombay and Russia are illustrations of this argument. The statistics from England and France, relative to the abolition of the Death penalty, for many crimes, show the same results; and those from Belgium, where there have been no executions since 1831 are, when thoroughly examined, strong arguments against this punishment. If there were a few murders without as with the Death penalty, it would prove that it should be abolished, but there are fewer, they that kill must expect the measure they mete will be measured to them again. It is asserted that justice demands the penalty of death for murder. No more than it does "eye for eye and tooth for tooth." Does justice require erring and foolish men to inflict that penalty? How liable we are to mistake! Hundreds of men have fallen victims to this law of vengeance, whose innocence was afterward proved, and perhaps hundreds more, equally innocent, whose names now bear the infamy of the murderer. How can we know the motive, the provocation, the previous education—the palliating or aggravating circumstances of the criminal even when we are sure of his guilt? And how can we weigh just his merits? It takes omniscience to do it, and therefore God has said, "Vengeance is mine, I will repay." Society educates men to murder through such schools as *Wigs, Slavery and Intemperance*; and then because they have been apt scholars, it kills them. Is this justice? Then it would be justice for a father to kill his son for theft, after he had from infancy taught him to steal. Vengeance is not part of the duty of human government. He who alone knows what is just, will see to it, that every one receives what is due "for the deeds done in the body."—Let us leave it to him and not Titian-like attempt to rob the king of Heaven of his murderers, lest our fall should be more fearful than the overthrow of those fabled giants. It is said God commands it. I find it not. If so, must be so clear there can be no mistake about it. The Moslem code requires the death of many criminals. I admit. If we take a part of it we must take the whole;—but the whole judicial code of Moses is *sweepingly* by the Christian dispensation.

The present to Noah is not certainly a command. Christianity teaches to reform the sinner, not to kill—to love our enemies, not to hang them. I wish, friend Allen, that some one of your intelligent readers—who entertains the opinion that the Death penalty is sanctioned by the teachings of Christ, would be so kind as to point out the chapter and verse. I am anxious that this question be thoroughly investigated, before we decide too quickly in favor of the death penalty, and its divine authority.

W. A. URQUHART.
Georgetown, Feb., 1853.

For the Democratic Sentinel.

Did Calvin cause Servetus to be Burned?

Mr. Editor:—I perceive that you have a number of contributors, who, conscious of their own abilities, wish to distinguish themselves by writing for the public press. This may not be improper, so long as they adhere strictly to the truth. But there is great danger that a young writer, whose information is not too extensive, and impelled by sanguine hopes, should make assertions which are not in accordance with truth, and while he professes to enlighten the public mind, may sow broadcast the seeds of vice and error.

What I wish to notice in this communication, is, the revival of an old calumny, which has long since been dead and buried; but has lately been exhumed, and the loathsome carcass laid before our eyes, by a writer on capital punishment who appeared in your journal of the 16th inst.

When calumnies are set on foot, there are some who are ever ready to believe, simply upon the confident assertion of the individual who makes them. Others, more intelligently, will suspend their judgment until they are rightly informed upon any given subject. For the advantage of such I pen this article.

The calumny belongs to the assertion that Calvin burnt Servetus. I scarcely suppose it possible that any one could be found in our day, who, possessing ordinary intelligence, would hazard such a declaration. But it has been asserted with a degree of confidence, before this intelligent community, as if it had never been disproved, and it is now a matter of undisputed verity I intend, therefore, to place this matter in its true light before your numerous readers.

The assertion is that Calvin burnt Servetus, or that he caused him to be burnt. The character of this illustrious reformer is untouched by such calumny. Like the arrow shot at the sun in the zenith, the attempt to mar his name by such a falsehood fails to effect its object, and comes back with redoubled effect upon the head of him

as "monsters," as "poisoners of mankind," and as "public pests." A postscript from the faith was alike treason against the State, an rebellion against God. These positions have come to be regarded as self-evident truths both in parliaments and in church councils alike in monarchies and in republics. The ancient laws enacted by Frederic II against heresy, were in full force in Geneva, and required that all obstinate heretics should be put to death. Such was the sentiment and feeling in the age in which Calvin lived.

When Servetus, already under sentence of death for his blasphemous, escaped from Vienna and came to Geneva, Calvin knew the corrupting influence of his writing and discussions, informed the civil authorities of the fact. This he was bound to do, I say, for he had received the freedom of the city, and was, therefore, under obligation to impeach him, if guilty of any crime. We admit this, namely, that he caused Servetus to be apprehended and brought before the

than any good citizen should do. The offense for which Servetus was apprehended and tried was no common one. It was not that he differed in opinion from Calvin—not that he rejected the peculiar doctrines of the reformation—not that he maliciously impugned the common faith of the church which had abandoned the faith of Rome. No. His shafts were aimed at the very vitals of religion—at the existence and nature of God. His crime was the most revolting blasphemy. He obstinately persisted in asserting the true God to be a triple-headed monster—a phantom of devils. He declared that all things—the earth and hell, wicked men, and Satan himself, are a part of God. He was tried, not simply because he believed these horrid absurdities, but because for years he had not ceased to inculcate them in his writings and conversations, and thus to undermine the foundations of moral obligations and of civil society. In causing Servetus to be apprehended and tried for blasphemy, Calvin did no more than good men have ever since done—did what our highest tribunals of justice have approved and do now approve. He felt that blasphemy is an offense—a flagrant crime against the peace and order of society, against the very existence of civil government and he acted accordingly. So far he was right, it is what every good man ought to do. Blasphemy ought to be punished. How it should be punished is another question. All we claim is that it ought to be punished by civil authority. So Calvin felt, and the causing of Servetus to be tried for his revolting blasphemies, he is not in the least to be blamed.

The death of Servetus was not desired, nor designed by Calvin. "What my design was," he says, "became evident in the process of execution, (i. e. in the efforts which he made to induce him to retract and cease his blasphemy.) When my colleagues and myself were summoned, it was by no means our fault that he did not confer peaceably and fully with us. He might have redeemed his life by mere moderation."

To the evidence of guilt taken from his writings, he added the most open and unblushing blasphemies in the presence of the Court. He was emphatically self-condemned. He astonished every one, even those who had secretly urged him in his absence of Calvin, by the horrid expressions, which he uttered while on his trial.

We may say, therefore, with Coleridge "that if ever a fanatic uttered himself into the fire, that man was Michael Servetus." "The affair," says the learned Turretin, "did not come to this issue but with reluctance, nor until other means to overcome his obstinacy and bring him to repentance had been tried in vain. He might, if he would, have avoided punishment."

The court sentenced him to be burned to death. There was the error in the case. It was indeed the error of the times—one which was fully, universally approved by the jurisprudence of that age. If the court had sentenced him to imprisonment, banishment, or fined him severely, no reasonable man would now complain. But Calvin had no influence whatever in procuring this result.

"From the time the charges were proved against him, I never uttered a word," he says, "concerning his punishment." D.

Chief Justice of Ohio.

Chief Justice CALDWELL's term of office having expired on the 8th instant, Mr. Justice BARTLEY, who succeeded him, on yesterday morning took the Chair of Chief Justice of the Supreme Court, and on the opening of the Court, Judge Caldwell presented his commission, was sworn, and entered on his new term of office.

The order of precedence on the Supreme Bench, is now the following:
Chief Justice—BARTLEY.
Judge—COWLEY.
" THURMAN.
" RANSLEY.
" CALDWELL.

The efficient, dignified, and able manner in which Judge Caldwell has discharged his duties during his term just closed, ensure the satisfaction with which his future services will be regarded by the people.

The Democracy of Ohio will receive the announcement of Judge Bartley's promotion with high gratification. His qualifications for an accomplished jurist have been fully demonstrated by the successful discharge of every duty which devolved upon him during so much of the period of the present term as has already elapsed.

His unanimous nomination for re-election at the last Democratic State Convention, indicated the entire acceptance manner in which his judicial services are esteemed by the Democratic people.

So far, indeed there has been no objection urged to Judge Bartley's re-election, even by his political opponents. His re-nomination has elicited no attack upon him. Of course the whigs will make some effort against him, but resting, as it will, upon exclusively partisan grounds, a species of hostility against which in the selection of judicial officers the whigs have often inveighed, it will be harmless and ineffectual.

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Democratic Sentinel.



THE PEOPLE & THE PEOPLE'S RIGHTS.

CADIZ, OHIO.

WEDNESDAY EVENING, FEB. 23, '53.

Democratic State Ticket for 1853.

FOR GOVERNOR,
WILLIAM MEDILL.
FOR LIEUTENANT GOVERNOR,
LESTER BLISS.
FOR SUPREME JUDGE,
THOMAS W. BARTLEY.
FOR TREASURER OF STATE,
JOHN G. BRESLIN.
FOR SECRETARY OF STATE,
WILLIAM TREVITT.
FOR MEMBER OF THE BOARD OF PUBLIC WORKS,
WAYNE GRISWOLD.
FOR ATTORNEY GENERAL,
GEORGE W. MCCOOK.

Election for Postmaster.

At a meeting of the Democracy of Cadiz, and vicinity, held at the National House on Saturday evening, the 5th inst., the following rules and regulations were agreed upon, as governing the election for Postmaster in Cadiz.

1st. That there be an election or elections for that office.

2nd. That the first election be held on Saturday, February 12, 1853.

3rd. That after the first election all the candidates shall be dropped except the four highest, who shall be voted for on the Saturday following, the 19th inst.; and after that the two highest to be voted for on the Saturday following, the 26th inst.; except one of the candidates should receive a majority of all the votes cast at the first or second election.

4th. That all Democratic voters who reside in and within three miles of the Borough of Cadiz be entitled to vote at those elections.

5th. The Polls to be open at 12 A. M. and close at 5 P. M.

6th. That Walter Jamison, Henry Byles, and Matthew G. Stemmmons act as Judges, and William C. Gaston and Chas. N. Allen act as Clerks of said elections.

7th. That said election or elections be held at the house of Thomas McCue.

Cadiz, February 9, 1853.

We are requested to announce the names of the following gentlemen as candidates for Postmaster, in Cadiz:

Obediah Stemmmons.
John Rea.

Post Office.—To all whom it may concern.—If the Democracy should think proper to elect me Post Master, I shall keep the Post Office in an eligible location, that will be satisfactory to all. JOHN REA.

No choice was made on last Saturday at the election for Postmaster. The vote stood:

O. Stemmmons,	64
John Rea,	59
James Cadz,	45
Thomas McCue,	20

Messrs. Stemmmons and Rea will therefore be the candidates on next Saturday.

Our thanks are due to our friend, Joseph McGonagle, Esq., of Franklin township, for a large list of new subscribers, received by the last mail. Mac is an old printer, and knows just exactly what suits printers, and therefore has sent us a good lot of new subs. Who will follow his example?

First Arrival!

Our old friend, A. F. Moore, has received his supply of Spring and Summer Goods.—This is something new for Goods to be brought to Cadiz in February, but Moore is a pushing fellow, and is generally ahead, especially in selling cheap and good goods. Bargains can be had there, and no mistake. You that wish something nice and cheap, will know where to go.

The Gurnsey Jeffersonian comes to us much improved, both in the editorial and mechanical departments of the paper. Br. Abell deserves a generous support from the Democracy of Gurnsey county.

An election for President, Recorder, and Council of the borough of Cadiz, will be held on Saturday, the 5th day of March.

Several of our merchants have gone East to lay in their Spring and Summer supply of Goods.

We are indebted to Messrs. Peppard and McCall for valuable Legislative documents.

Also to Hon. S. P. Chase for a copy of the

disastrous fire occurred at Cumberland, Md., on the 14th inst. Loss \$10,000, principally insured.

The Democracy of New Lisbon have elected Alfred G. McCaskey Postmaster of that place, subject to the decision of the "powers that be," at Washington.

Flunkiam Abroad.

The whig foreign officials who have been mis-representing this government at foreign courts during the past four years, has become a subject of very just censure. The Press all over the country speak out in terms that cannot be misunderstood. One of the ablest articles that we have seen upon this subject, is the following, which we copy from the "Seneca Advertiser." The Advertiser says, "the toadyism practiced by the whig officials at foreign courts, during the past four years, has been such as to disgust every true republican. Our reputation as a republican nation, has been lowered at almost every court where these flunkies have held a position to misrepresent the spirit of our government and people. Instead of acting as the representatives of a great democratic people, they have frequently been the veriest panderers to the aristocratic and monarchial ideas and forms of the courts at which they have resided.

When the noble Kosuth touched at Marseilles, he was basely insulted by a whig consul, who was much alarmed at the excitement and enthusiasm of the populace in consequence—charged Kosuth with an attempt to create a disturbance, and wrote home the most villainous, lying letters to prejudice the forestall public opinion against the Hungarian chieftain. Our readers will remember this. The same infamous toady, upon Louis Napoleon's visit to Marseilles, previous to proclaiming himself Emperor, mustered up a number of American matines to do honor to the French despot—drawing them up in line along his path, and causing them to take off their hats while he passed. As if this was not sufficiently disgraceful to his country, he hung the portrait of Washington and Louis Napoleon together in front of his office, and finished his servile work by illuminating the building! Such acts as these should crimson the cheek of every virtuous American; and it is a subject of rejoicing that the present whig administration which has tolerated them, is about to expire, and when men who will represent the true republican character of this country, will be sent to fill the places now disgraced by these servile agents of European aristocracy.

Mr. Ingersoll, Minister to England, lately gave an exhibition of his want of American feeling, in a speech delivered to the aristocracy of Manchester. In speaking of the English House of Lords, he designated it as one, "every line of whose magnificent heraldry seems to partake of the Proverbs of Solomon in its character and stimulus!" In his attempts to flatter the nobility, he not only belied republicanism, but rendered himself ridiculous, even in the eyes of those whose vanity he endeavored to tickle. The London Morning News says, "he appeared something in the character of a democratic 'moth' coquetting around an aristocratic 'candle,' and in the utmost danger of singeing his wings!" The same paper adds:

"Mr. Ingersoll, tired of the old strain, launched out into some eulogistic declamation on the English constitution, which might have been inserted as a supplement to and copy of De Lolme. He described the progress of an imaginary youth, who, he tells us, might set out in life, with no friend or connexion, and aspire, without incurring the charge of presumption, to a seat in the House of Lords. We would advise Mr. Ingersoll never to repeat his imaginary description in the ears of any of his aristocratic friends.

The notion could have never entered into the head of any one but a native of a country some four or five thousand miles away." The cry of an increase of salaries, which has lately been raised by the whole batch of whig Ministers, Charges, &c., comes with a very good grace from them, and the reasons they assign the most natural that could be given. The salaries are altogether too small, they say; they can't maintain the standing of their country abroad, without a salary which will enable them to live in the extravagant style of the titled aristocracy! A salary which, in former times, would support a republican representative at a foreign court, would begin to suffice for a *very* aristocratic Minister of Envoy, these days. In addition to straining their speeches to please the ears of royalty, as soon as they get abroad, they think they must upon themselves all the foolish airs and luxurious mode of life of the European aristocracy, and no wonder their purses should become light by the effort.—For the country's sake, we hope no increase of salary will be voted them; they make bad enough republican representatives with what they already have!

Brother MACKENZIE, of the Kalida Venture, thus speaks of the Hon. LESTER BLISS, the Democratic candidate for Lieutenant Governor:

"Lester Bliss, of Allen, is from our own Northwest, and our farmers and our people know him, and what he is, and can tell us as well as we that he will make just the right kind of a Lieutenant Governor. We know, it is said that distance lends enchantment to the view, and that men are better appreciated at a distance than at home. But in the Northwest a man must be made of sterling stuff to get the continued favor of our Democracy, and that Mr. B. has received. Mr. B.'s first part in public life, as a legislator, was in the present House of Assembly, where he has acquitted himself as a man of correct and radical opinion. And we can safely predict such will prove his character in every public position."

Mr. Bliss would stand at least 50 per cent higher in our estimation if he had not voted for the new law lately passed by the House of Representatives authorizing the publication of the laws.

Several enterprising young men of Salem, Columbiana County, Ohio have left to seek their fortunes in Australia.

Dr. Wm. Bates, of Jefferson county, is spoken of as a candidate for Governor, before the whig convention, which met in Columbus on yesterday.

No decision has yet been made in the Bank case at Columbus. The Supreme Court is very slow about this matter.

The fare from Cincinnati to Philadelphia or Baltimore, over the Little Miami, Central, Baltimore and Ohio Railroad is fixed at \$16.30—time, 39 1/2 hours.

A Fine Suit of Clothes for the President.

The Citizens of Boston intend presenting Gen. Pierce with a fine suit